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## FORM SUMMARY

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**Name of Form:** **Petition for Temporary Restraining Order and/or Injunction  
(Domestic Abuse - 30709)**

**Form Number:** **CV-402**

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**Statutory Reference:** §813.12, Wisconsin Statutes

**Benchbook Reference:** FA 15-2

**Purpose of Form:** Initiate domestic abuse TRO and/or Injunction

**Who Completes It:** Petitioner or guardian of petitioner, if petitioner is an incompetent person.

**Distribution of Form:** Original to court; copies to parties

**Accompanying Forms:** Additional factual documentation may be attached.

**New Form/Modification:** Modification, last update 07/02.

**Modifications:** On page 1, reformatted and reworded numbers 1 and 2. Added check box with language "I am the guardian of the petitioner, an incompetent person (ward). In number 4, amended statute to read "813.12(1)(am)". Also added "damage to personal property" to list of statutory actions considered domestic abuse. One page 2, in number 2, changed "premises" to "location". Added "except a party's attorney or law enforcement officer to have contact with me in any way.

Previous modifications: Modified to comply with 2001 Wisconsin Act 109. On page 1, in number 1, added language to include 2 new types of relationships "a person who provides in home or community care for me" and "a person with whom I have or had a dating relationship. On page 2, in number 1b changed language from "premises" to "any location", and in 1c added language "a party's attorney or law enforcement officer". Also in number 5, changed language from "two years" to "four years".

**Comments:** The 2001 Wisconsin Act 109, expands the types of relationships that adults may be in for purposes of domestic abuse injunctions to include an adult who is being cared for by another adult and adults who have a dating relationship. This act also allows the guardian of an incompetent person (ward) to file the petition for a domestic abuse order on behalf of the incompetent person. This act also extends the maximum period for a domestic abuse injunction to four years.

**About this form:** This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

**If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.**